

HOUSE EDUCATION COMMITTEE SUBSTITUTE FOR
HOUSE BILL 304

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

AN ACT

RELATING TO SCHOOL PERSONNEL; PROVIDING A THREE-TIERED CAREER
LICENSING FRAMEWORK FOR EDUCATIONAL ASSISTANTS; PROVIDING FOR
MINIMUM SALARIES OF EDUCATIONAL ASSISTANTS; MAKING AN
APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the School Personnel Act is
enacted to read:

"[NEW MATERIAL] EDUCATIONAL ASSISTANTS--THREE-TIERED
LICENSING FRAMEWORK--QUALIFICATIONS--MINIMUM SALARIES.--

A. Beginning July 1, 2004, an applicant for a level
one educational assistant license shall:

- (1) be at least eighteen years of age;
- (2) have a high school diploma or its
equivalent;

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underscored material = new
[bracketed material] = delete

1 (3) show satisfactory evidence of having
2 completed a school district-level orientation; and

3 (4) pass a department-approved assessment for
4 paraprofessionals.

5 B. A level one educational assistant license is a
6 nine-year renewable license for educational assistants that
7 requires an annual intensive performance evaluation by a
8 teacher or school administrator and professional development
9 approved by the department for the first three years;
10 thereafter, license holders annually must demonstrate essential
11 competency to perform their duties and meet professional
12 development requirements of the department. An educational
13 assistant must be employed as a level one educational assistant
14 for at least three full school years before applying for a
15 higher level of license.

16 C. Beginning July 1, 2004, an applicant for a level
17 two educational assistant license shall:

18 (1) meet the requirements for a level one
19 license and have been licensed and employed as a level one
20 educational assistant for at least three full school years;

21 (2) show satisfactory evidence of having
22 completed a school district-level orientation; and

23 (3) have completed at least forty-eight
24 semester hours of post-secondary non-remedial credit awarded by
25 an accredited college or university that includes at least

1 fifteen semester hours in basic skills and assisting in the
2 classroom.

3 D. A level two educational assistant license is a
4 nine-year renewable license for educational assistants who
5 annually demonstrate essential competency to perform their
6 duties and who meet professional development requirements of
7 the department. An educational assistant must be employed as a
8 level two educational assistant for at least three full school
9 years before applying for a higher level of license.

10 E. Beginning July 1, 2004, an applicant for a level
11 three-A educational assistant license shall:

12 (1) meet the requirements for a level two
13 license and have been licensed and employed as a level two
14 educational assistant for at least three full school years;

15 (2) show satisfactory evidence of having
16 completed a school district-level orientation; and

17 (3) have an associate degree from an
18 accredited college or university that includes at least fifteen
19 semester hours in non-remedial degree course work in basic
20 skills and assisting in the classroom.

21 F. A level three-A educational assistant license is
22 a nine-year renewable license for educational assistants who
23 annually demonstrate essential competency to perform their
24 duties and who meet professional development requirements of
25 the department.

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1 G. Beginning July 1, 2004, an applicant for a level
2 three-B educational assistant license shall:

3 (1) meet the requirements for a level two
4 license and have been licensed and employed as a level two or
5 level three-A educational assistant for at least three full
6 school years; and

7 (2) hold a bachelor's or higher degree from an
8 accredited college or university.

9 H. A level three-B educational assistant license is
10 a nine-year renewable license for educational assistants who
11 annually demonstrate essential competency to perform their
12 duties and who meet professional development requirements of
13 the department.

14 I. The minimum salary for each licensure level is:

15 (1) for level one educational assistants,
16 twelve thousand dollars (\$12,000), effective in the 2004-2005
17 school year;

18 (2) for level two educational assistants,
19 fifteen thousand dollars (\$15,000), effective in the 2005-2006
20 school year;

21 (3) for level three-A educational assistants,
22 twenty thousand dollars (\$20,000), effective in the 2006-2007
23 school year; and

24 (4) for level three-B educational assistants,
25 twenty-five thousand dollars (\$25,000), effective in the 2007-

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1 2008 school year.

2 J. Beginning July 1, 2004, all applicants for
3 educational assistant licensure must meet the requirements of
4 the level of licensure for which they are applying as provided
5 in Subsections A through I of this section. Persons holding
6 valid licenses on June 29, 2004 shall be allowed a grace period
7 for meeting the requirements of this section as provided in
8 Subsections K and L of this section.

9 K. On June 30, 2004, educational assistants holding
10 a valid level three license shall be reissued new level one,
11 two, three A or three B licenses depending upon the license for
12 which they qualify.

13 L. By July 1, 2005, all educational assistants
14 except those holding new licenses pursuant to Subsection A or B
15 of this section shall apply for new licenses and must meet the
16 requirements for licensure for the which they apply."

17 Section 2. APPROPRIATION.--Eight million two hundred ten
18 thousand dollars (\$8,210,000) is appropriated from the general
19 fund to the state equalization guarantee distribution for
20 expenditure in fiscal year 2005 to fund the first year of the
21 educational assistant licensure framework and to bring all
22 educational assistants up to a minimum salary of twelve
23 thousand dollars (\$12,000). Any unexpended or unencumbered
24 balance remaining at the end of fiscal year 2005 shall not
25 revert to the general fund.

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